IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 13TH NOVEMBER 2007 / 22ND KARTHIKA 1929

Bail Appl..No. 6821 of 2007()

CRIME NO. 649/07 OF KASARAGODE POLICE STATION
AGAINST THE JUDGEMENT/ORDER IN BA.6397/2007

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PETITIONERS/ACCUSED 1, 2 & 5

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1. SHIVAN @ SHIVAPRASAD.K.,
S/O.MALINKA, THALIPPATAPPU HOUSE,
NEAR G.U.P.SCHOOL, KASABA VILLAGE,
KASARAGODE.

2. KISHORE.K.G., S/O.MADHAVAN,
THALIPPADUPPU HOUSE, NEAR USMAN RICE MILL,
KASABA VILLAGE, KASARAGODE.

3. SANTHOSH.B. @ CHERIYA SANDU,
S/O.BABU NAIK, SANNAKUDLU, NEAR GUDDE TEMPLE,
KUDLU VILLAGE, KASARAGODE.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS: COMPLAINANT/STATE

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1. THE SUB INSPECTOR OF POLICE,
KASARAGODE POLICE STATION.

2. STATE REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 6821 of 2007

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Dated this the 13th day of November, 2007

O R D E R

Second application for regular bail. The petitioners are accused 1, 2 and 4. (In the earlier application the 3rd petitioner is shown as A5). The petitioners face allegations for offences punishable, inter alia, under Section 308 I.P.C. The application for regular bail filed by the petitioners earlier was dismissed as per order dt. 22.10.2007 in B.A.No. 6397 of 2007. Facts have been adverted to in detail in that order. This order must be read in continuation of that order. I am not hence adverting to facts in any greater detail in this order.

2. The alleged incident took place on 3.10.2007. The petitioners were arrested on 10.10.2007. Investigation is in progress. Final report has not been filed yet.

3. The learned counsel for the petitioners prays, the learned Prosecutor does not oppose the said prayer and I am

satisfied that the petitioners can now be enlarged on bail subject to appropriate terms and conditions.

4. In the result:

1) This application is allowed.

2) The petitioners shall be released on bail on the following terms and conditions.

(a) The petitioners shall execute bonds for Rs.1,00,000/- (Rupees one lakh only) each with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) They shall make themselves available for interrogation before the Investigating Officer on all Mondays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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